

# Exhibit B

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PRISONERS LEGAL ADVOCACY	)	
NETWORK,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. No. 23-1397-JLH
	)	
THE HONORABLE JOHN CARNEY, in	)	
his official capacity as Governor of the	)	
State of Delaware, THE HONORABLE	)	
ANTHONY J. ALBENCE, in his official	)	
capacity as State Election Commissioner of	)	
the Delaware Department of Elections, and	)	
THE HONORABLE TERRA TAYLOR, in	)	
her official capacity as Acting	)	
Commissioner of the Delaware Department	)	
of Correction,	)	
	)	
Defendants.	)	

**DECLARATION OF PATRICIA A. DAVIS**

Pursuant to 28 U.S.C. § 1746, Patricia A. Davis declares the following:

1. I am the State Solicitor for the Delaware Department of Justice (the “DOJ”).
2. Delaware statute requires the Attorney General to “personally approve[]” the absentee ballot application prepared by the Delaware Department of Elections. 15 *Del. C.* § 5503(d)(5).
3. The Attorney General must also prepare the instructions provided to voters for completing and submitting an absentee ballot (15 *Del. C.* § 5506) and personally approve the envelopes used for absentee voting (15 *Del. C.* § 5512).
4. Since 2018, the absentee ballot application has stated that the “business or occupation” reason includes “otherwise eligible persons who are incarcerated.”

5. Given the Attorney General's intricate participation in the absentee ballot process regarding incarcerated individuals, the DOJ will not prosecute eligible individuals incarcerated in Delaware Department of Correction facilities for voting or attempting to vote by absentee ballot in the 2024 General Election.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 14<sup>th</sup> day of June, 2024.



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Signature

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Patricia A. Davis

Print Name